

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 15228 of the D.C. Department of Housing and Community Development, pursuant to 11 DCMR 3107.2, a variance from the use provisions to allow a nonprofit office use (Sub-section 330.5) of a structure in an R-4 District at premises 128 M Street, N.W., (Square 557, Lot 849).

HEARING DATE: January 24, 1990  
DECISION DATE: January 24, 1990 (Bench Decision)

SUMMARY ORDER

The applicant initially filed an application for special exception under 218 to allow non-profit office use of an historic residential building of 10,000 square feet. The application was advertised in the alternative for a special exception under Section 334 as a temporary community service center and a variance from the use provisions of Sub-section 330.5 to allow non-profit office use. The applicant at the public hearing, presented argument to support both the special and variance test. The Board determined and the applicant agreed to amend the application to eliminate the special exception requests under Sections 218 and 334. The application was thus, amended to reflect only the variance from the use provisions of Sub-section 330.5 of the Zoning Regulations.

The Board duly provided timely notice of public hearing on this application, by publication in the D.C. Register, and by mail to ANC 2C and to owners of property within 200 feet of the site.

The site of the application is located in Advisory Neighborhood Commission ("ANC") 2C. ANC 2C, which is automatically a party to the application, filed a written statement of issues and concerns in support of the application.

As directed by 11 DCMR 3324.2, the Board has required the applicant to satisfy the burden of proving the elements which are necessary to establish the case for a variance from the strict application of the requirements of 11 DCMR 330.5. No person or entity appeared at the hearing or otherwise requested to participate as a party in this proceeding. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

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APPLICATION No. 15228

As Executive Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that a letter has been mail to all parties, dated Feb 2, and mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

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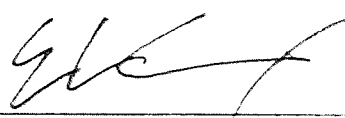
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\_\_\_\_\_  
EDWARD L. CURRY  
Executive Director

DATE: \_\_\_\_\_